Electric Illuminating Co., 232 Mass. 576, 581, 582. "The admission or exclusion of merely cumulative evidence that adds nothing to evidence already in the case does not require the sustaining of exceptions, even though there was technical error". *Bendett v. Bendett*, 315 Mass. 59, 65, 66, and cases cited. *Abele v. Dietz*, 312 Mass. 685, 690, 691, and cases cited. "It is clearly established that error in receiving proof of a declaration is harmless where the fact sought to be proved is established by other evidence." *Standard Oil Co. of New Jersey v. Neville*, 48 F (2d) 580, 581.

Conclusion.

Wherefore, since the petitioner Garford Trucking Corporation has failed to sustain the burden of showing error in the judgment which is asked to be reviewed and set aside, *Higgins v. Cain Bros. Co.*, 317 U. S. 572, 574. *Walling v. Jacksonville Paper Co.*, 317 U. S. 564, 570, the respondent respectfully prays this Honorable Court that this petition for a writ of certiorari be denied.

By his Attorneys,

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